

2. (Amended) The monoclonal antibody [EL 246] EL 246, or antigen binding fragment thereof secreted by a hybridoma having the ATCC Accession No. HB11049.

8. (Amended) A method of detecting E-selectin and L-selectin bearing cells in biological sample suspected [suspecting] of containing the selectin bearing cells comprising:

- a. contacting the sample with the antibodies or antigen-binding fragments of claim 1 to form an immune complex with the E-selectin and L-selectin bearing cells, and
- b. detecting the presence of the immune complex.

10. (Amended) A method of treating a mammal [with the intent of reducing] to prevent or inhibit tissue damage occurring at an inflammatory site in any part of the body of a mammal experiencing a leukocyte-mediated inflammatory condition, said method comprising:
administering *in vivo* a monoclonal antibody, having specificity for a common antigenic determinant on E-selectin and L-selectin in an amount sufficient to bind specifically to [the of] L-selectin and E-selectin molecules expressed on the surface of leukocytes and endothelial cells, respectively to inhibit the adhesion of said cells.

17. (Amended) A method of treating a mammal [with the intent of reducing] to prevent or inhibit tissue damage occurring at an inflammatory site in the body of the mammal experiencing an inflammatory condition, said method comprising:
infusing into the body prior to or during said inflammatory condition a quantity of monoclonal antibody having specificity for a common antigenic determinant on

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E-selectin and L-selectin, said quantity sufficient to bind specifically to an epitope expressed on the short consensus region of L-selectin express on the surface of leukocytes and which will inhibit the adhesion dependent intercellular reactions of leukocytes reflecting their immunological response function which contributes to such damage.

21. (Amended) The monoclonal antibody or antigen binding fragment thereof according to claim 1 wherein the antibody or antigen binding fragment is further characterized by its ability to specifically inhibit [is capable of inhibiting] leukocyte rolling on an endothelial cell layer.

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22. (Amended) The monoclonal antibody or antigen binding fragment thereof according to claim 1 wherein the antibody or antigen binding fragment is further characterized by its ability to specifically inhibit [is capable of inhibiting] lymphocyte homing to peripheral tissues.

23. (Amended) The monoclonal antibody or antigen binding fragment thereof according to claim 1 wherein the antibody or antigen binding fragment is further characterized by its ability to specifically inhibit [is capable of inhibiting] an inflammatory response in humans, sheep[s], goats, cattle and pigs.

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24. (Amended) A monoclonal antibody which specifically binds [capable of recognizing] a common antigenic determinant [found an] on E-selectin and L-selectin produced by a process comprising:

- (a) immunizing a mammal with an immunogen composed of E-selectin, L-selectin or a combination of E-selectin and L-selectin;
- (b) fusing lymphocytes from the immunized mammal with myeloma cells;
- (c) selecting hybrid cells that secrete antibodies that recognize a common antigenic determinant on L-selectin and E-selectin; and
- (d) isolating the antibodies.

25. (Amended) A process for producing monoclonal antibodies [capable of binding] which specifically bind to a common antigenic determinant on E-selectin and L-selectin comprising:

- (a) immunizing a mammal with an immunogen composed of E-selectin, L-selectin or a combination of E-selectin and L-selectin;
- (b) fusing lymphocytes from the immunized mammal with myeloma cells;
- (c) selecting hybrid cells that secrete antibodies that specifically bind [recognize] a common antigenic determinant on L-selectin and E-selectin; and
- (d) isolating the antibodies.

26. (Amended) A method of preventing or inhibiting an inflammatory response at a site in a mammal, said method comprising:

administration of an effective amount of a monoclonal antibody or antigen binding fragment thereof, said antibody or antigen binding fragment, having specificity for a common antigenic determinant on E-selectin and L-selectin and specifically binds to the common antigenic

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determinant of [capable of binding to] L-selectin and E-selectin, said amount prevents or inhibits the inflammatory response at the site.

29. (Amended) The method according to claim 26 wherein the monoclonal antibody is [has a reactivity pattern similar to] EL-246 which is secreted by a cell line having the ATCC Accession No. HB 11049.

2 Please add the following new claim

34. (New) The monoclonal antibody or antigen binding fragment thereof of claim 1 wherein said binding requires a short consensus repeat domain on E-selectin and L-selectin.

REMARKS

Support for new claim 34 is found on page 21, lines 3-5.

Applicant notes that the formal drawings and photographs fail to comply with 37 C.F.R.

1.84. Applicant will submit corrected figures upon a Notice of Allowability.

35 U.S.C. §101 Rejection

Claims 3-5, 10-18, 21-23 and 26-33 were rejected under 35 U.S.C. §101 as inoperative and as such lack utility. The Examiner states that the specification fails to establish the utility of the claimed antibodies as therapeutic agents for human disease.

The Examiner cites to Harris et al as evidence for lack of utility of rodent monoclonal antibodies in humans. Harris et al has some very positive statements for the use of mouse/human chimeric antibodies including half-life, greatly reduced human immune response against murine proteins (HAMA response) and lack of toxicity.